REMARKS/ARGUMENTS

The above-identified patent application has been amended and re-examination and reconsideration are hereby requested.

Claims 32-39 have been amended and are no longer identical to claims 14-21.

Claims 2-3 stand rejected under 35 USC 102(b) as being anticipated by Ninomiya. It is first noted that FIG. 20 of Ninomya relates to a "convectional storage system" while the material in Ninomya at col. 8, lines 26-46, relates to FIG. 8. The system in FIG. 8, as well as the material at col. 8, lines 36, do not relate to a system having " separate point-to-point data paths between each one of the directors and the cache memory" as stated in claim 2. Therefore, the "data storage system" recited in claim 2;

> A data storage system for transferring data between a host computer/server and a bank of disk drives through a system interface, such system interface comprising:
> a plurality of first directors coupled to the host computer/server;
> a plurality of second directors coupled to the bank of disk drives;
> a cache memory;
> wherein there are separate point-to-point data paths between each one of the directors and the cache memory and
> including a backplane and wherein the cache memory and the directors are interconnected through the backplane.

is *not one of the systems* described in Ninomiya. Thus, the subject mater of claim 1 is not anticipated by Ninomiya.

Claims 2-7, 9, 11-15, 18, 19, 22, 23, 27, 29-33, and 36-37 stand rejected as being unpatentable over Martin in view of Ninomiya. As noted above, Ninomiya does not describe a system having:

> wherein there are separate point-to-point data paths between each one of the directors and the cache memory and
> including a backplane and wherein the cache memory and the directors are interconnected through the backplane.

It is next noted that there is nothing in either Martin or Ninomiya taken either singly or in combination which suggests using a message network for passing messages together with a data transfer section having a cache memory coupled to a plurality of directors. There is nothing *in the art*, which suggests using a message network for passing messages together with a data transfer section having *a cache memory coupled to a plurality of directors*. In order to establish a *prima facie* case of obvious, the combination claimed by the applicant must be suggested in the *prior art itself*. That is, *the prior art* must suggest or recognize or provide some motivation for the claimed combination. The Examiner has not pointed to anything *in the prior art* that suggests, recognizes or provide some motivation to have a system with a message network for passing messages together with a data transfer section having a cache memory coupled to a plurality of directors. Thus, it is respectfully submitted that the Examiner has not set forth a prima facie case of obviousness against any of the claims 34-46 and 48. Rather, the Examiner seems to reach conclusion of obvious from facts not in, nor supported by, the record (i.e., *not supported by the teachings found in the cited references themselves*).

Thus, it is respectfully requested that the Examiner point to the sections of the cited art themselves which suggest, recognize or provide some motivation to have a system with a message network for passing messages together with a data transfer section having a cache memory coupled to a plurality of directors. Further, the Examiner makes the statement it would be faster to have "a cache memory, as per the teaching of Ninomiya. *Why does adding a cache memory of Ninomiya to Martin make Martin's system run faster??*

New claims have been added. Claim 40 points out that that the messaging network passes the messages from any of the first plurality of directors to a selected one of said second plurality of directors and from any one of the second plurality of directors to a selected one of the first plurality of directors. It is respectfully submitted that this feature is
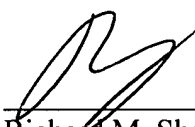
not described or suggested in either Martin or Ninomiya taken either singly or in combination.

In the event any additional fee is required, please charge such amount to Patent and Trademark Office Deposit Account No. 50-0845.

Respectfully submitted,

_____ 1-29-04 _____

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